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July 8, 2016

VIA EMAIL AND FIRST CLASS MAIL

The Hon. Karen V. Gregory
Secretary of Federal Maritime Commission
800 North Capitol St.
Room 1046
Washington, D.C. 20573

Re: Docket No. 15-11 – Ovchinnikov v. Hitrinov

Dear Ms. Gregory:

Enclosed for filing in the above-captioned matter are an original true copy and five (5) additional copies of:

1. Respondents' Notice of Return and Motion to Adjust Due Dates

Please contact me if you have any questions.

Best regards,


Anjali Vohra

Enclosures

FEDERAL MARITIME COMMISSION

WASHINGTON, D.C.

DOCKET NO. 15-11

IGOR OVCHINNIKOV, ET AL

v.

MICHAEL HITRINOV, ET AL

Consolidated With

DOCKET NO. 1953(I)

KAIRAT NURGAZINOV, ET AL

v.

MICHAEL HITRINOV, ET AL

RESPONDENTS' NOTICE OF RETURN AND MOTION TO ADJUST DUE DATES

Pursuant to the Order Granting Respondents' Motion for Extension of Time, dated June 29, 2016 (the "June 29th Order"), the undersigned hereby notifies the Presiding Officer and Counsel for Complainants that he has returned to the office as of Friday, July 8, 2016.

Pursuant to FMC Rules 69 and 71, Respondents Empire United Lines and Michael Hitrinov hereby move to adjust the due dates set forth in the June 29th Order. The June 29th Order recognized that the July 18th deadline set forth therein may be extended if circumstances dictate. For the reasons set forth below, Respondents request the following adjustments to the due dates:

1. That the due date for the Parties' respective Responses to the Presiding Officer's June 29th Order for Parties to Supplement the Record be extended to July 26;

2. The due date for the Parties' respective Replies to each other's Responses to the Presiding Officer's Order for Parties to Supplement the Record be extended to August 2; and
3. That the due date for Respondents' Reply to Complainants' Response to Respondents' Motion for Judgment on the Pleadings be extended to July 26.

As detailed below, Counsel for Complainants has partially consented to the motion to change the due dates.

The reasons supporting these requests are as follows:

1. Responses to the Order to Supplement the Record. Counsel for Complainants has consented to this request to extend the due date until July 26. The reason for this request is that the undersigned was unaware of any such obligation when he requested that other due dates be extended until 10 days after his return to the office.
2. Replies to Responses to Order to Supplement the Record. Respondents requested consent for an extension of eight days, the same as the extension for Responses to the Order to Supplement. That would fall on August 2. Counsel for Complainants consented to an extension until August 1, whether by reason of principle or simple counting error. Respondents apologize if they were not clear as to the specific date, but say that August 2 is reasonable not only because it retains the current period between Response and Reply, but also because Counsel for Respondents will be out of town for business and family reasons July 27-30.
3. Reply Regarding Motion for Judgment on the Pleadings. Complainants' Counsel declined consent to this extension on the grounds that the 10 days originally requested

should be sufficient. The undersigned originally thought that as well, but subsequent events, regrettably not fully explained to Complainants' Counsel, necessitate additional time:

- a. Several other time sensitive matters – not foreseen by the undersigned when he requested 10 days – arose during the 14 days he was out of the office on abbreviated vacation and bereavement leave, including obligations to clients and to the United States Department of Justice. We do not detail these other obligations due to attorney-client sensitivity, but will if requested provide additional information to the Presiding Officer in camera. Although Counsel will give high priority to this proceeding, these other matters also require prompt attention.
- b. The undersigned continues to have substantial, time-consuming, responsibilities relating to the passing of his father, including assisting his step-mother with the emotional and financial transition and dealing with various matters relating to the estate.
- c. The additional information requested in the June 29th Order is interrelated to the key issues raised in the Motion for Judgment on the Pleadings—the issues of Subject Matter Jurisdiction and Standing. Thus, as the June 29th Order appeared to acknowledge, it seems most practical for the Responses to the Order to Supplement the Record and the Reply Regarding Motion for Judgment on the Pleadings, to both be due the same day.

For the foregoing reasons, Respondents respectfully request that the foregoing due dates be adjusted. Counsel for Respondents expects that Respondents can meet these adjusted

timelines, but notes that family matters remain in flux, so that a further request for extension is possible.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eric Jeffrey" followed by a flourish.

Eric Jeffrey
Anjali Vohra

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Respondents' Notice of Return and Motion to Adjust Due Dates by email and first class mail to the following:

Marcus A. Nussbaum, Esq.
P.O. Box 245599
Brooklyn, NY 11224
Marcus.nussbaum@gmail.com

Seth M. Katz, Esq.
P.O. Box 245599
Brooklyn, NY 11224

Dated at Washington, DC, this 8th day of July, 2016.



Eric Jeffrey
Counsel for Respondents